



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/991,766	11/23/2001	Sho Kuwamoto	07844-729001	5315
<div>21876 7590 12/11/2007</div> <div>FISH & RICHARDSON P.C.</div> <div>P.O. Box 1022</div> <div>MINNEAPOLIS, MN 55440-1022</div>				
			<div>EXAMINER</div> <div>RIES, LAURIE ANNE</div>	
			<div>ART UNIT</div> <div>2176</div>	<div>PAPER NUMBER</div>
			<div>MAIL DATE</div> <div>12/11/2007</div>	<div>DELIVERY MODE</div> <div>PAPER</div>

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/991,766

Applicant(s)

KUWAMOTO ET AL.

Examiner

Laurie Ries

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9, 11-19, 29 and 31-58 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-18, 49 and 50 is/are allowed.
- 6) ☒ Claim(s) 9, 19, 29, 31-47, 51, 53, and 55-58 is/are rejected.
- 7) ☒ Claim(s) 48, 52 and 54 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 4/18/07.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: Amendment, filed 24 September 2007, to the Original Application filed 23 November 2001.
2. Claims 9, 11-19, 29, and 31-58 are pending. Applicant has canceled claims 1-8, 10, 20-28, and 30. Claims 9, 11, 19, 29, 31, and 39 are independent claims.

Response to Arguments

3. Applicant's arguments with respect to claims 9, 19, 29, 31, and 39, filed 24 September 2007, have been fully considered but they are not persuasive.

Applicant argues that Aitken fails to teach accessing a parameter associated with the shadow file to determine that the shadow file is to be displayed. The Office respectfully disagrees. Aitken teaches that a parameter may determine whether or not a file is "hidden" (See Aitken, Column 6, lines 37-46, and Figure 3A). The Office maintains that the file as taught by Aitken, i.e. the imager.igr file, represents a shadow file for a group of managed documents and that the "hidden" attribute or parameter implies that the imager.igr file may be "hidden", or not shown.

Art Unit: 2176

Applicant argues that Aitken fails to teach "receiving by a web authoring tool first information to be contained in a first file, the first information comprising computer source code; receiving by the web authoring tool second information characterizing one or more attributes of the computer source code...". The Office respectfully disagrees. McClendon teaches including computer source code data in a shadow or companion file, such as data in XML code format contained in a companion or shadow file (See McClendon, Column 17, lines 64-67).

Applicant's arguments, see Amendment, filed 24 September 2007, with respect to claims 11, 14, and 48 have been fully considered and are persuasive. The rejection of claims 11, 14, and 48 has been withdrawn.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 9, 19, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over McClendon (U.S. Patent 6,625,619 B1, claiming priority of U.S. Provisional Application Number 60/190,225), in view of Aitken (U.S. Patent 6,411,970 B1).

As per independent claims 9, 19, and 29, McClendon teaches a method of retrieving a file including HTML data and having a filename including retrieving the file (See McClendon, Column 3, lines 55-67).

McClendon also teaches including a shadow file, or companion file, in an XML format, having a file name that associates it with the original HTML file and containing property set information about the HTML file that is not included within the HTML file (See McClendon, Column 17, lines 64-67).

McClendon does not teach expressly that the shadow or companion file includes the file name of the file, however, since it was generally well known at the time of the invention to name file containing property set data, such as an XML file associated with an HTML file, identically to the file it defines, differing only in the file extension, it would have been obvious to assume that the shadow or companion file includes the file name of the HTML file. The motivation for doing so would have been to maintain the association between the HTML file and the XML file that contains property set values pertaining to the HTML file.

McClendon also does not teach expressly accessing a parameter associated with the shadow file to determine that the shadow file is to be displayed.

Aitken teaches accessing a parameter to determine whether the shadow file is to be "hidden", or not displayed (See Aiken, Column 6, lines 37-46, and Figure 3A). It is well known that when the hidden parameter is not checked, the shadow file is displayed.

McClendon and Aiken are analogous art because they are from the same field of endeavor of storing additional information about a file in a separate file.

Art Unit: 2176

At the time of the invention it would have been obvious to one of ordinary skill in the art to include the option to hide or display the shadow file of Aiken with the method of retrieving a file of McClendon. The motivation for doing so would have been to allow the user to determine whether or not the properties in the shadow file should be displayed such that they may be viewed, edited, and searched (See Aiken, Column 6, lines 37-47). Therefore, it would have been obvious to combine Aiken with McClendon for the benefit of determining whether or not the properties in the shadow file should be displayed such that they may be viewed, edited, and searched to obtain the invention as specified in claims 9, 19, and 29.

5. Claims 47, 51, and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over McClendon (U.S. Patent 6,625,619 B1, claiming priority of U.S. Provisional Application Number 60/190,225), in view of Aitken (U.S. Patent 6,411,970 B1) as applied to claims 9, 19, and 29 above, and further in view of Lakis (U.S. Patent 5,864,865).

As per dependent claims 47, 51, and 53, McClendon and Aiken teach the limitations of claims 9, 19, and 29 as described above. McClendon and Aiken do not teach expressly that the information related to the file and not contained within the file includes a key and a corresponding value. Lakis teaches that data may be displayed in a separate window (See Lakis, Abstract). McClendon, Aiken and Lakis are analogous art because they are from the same field of endeavor of presenting electronic

Art Unit: 2176

information to a user in an organized display format. At the time of the invention it would have been obvious to one of ordinary skill in the art to include the display of information in a separate window, as taught by Lakis, with the information related to a file and not contained within the file, as taught by McClendon and Aiken. The motivation for doing so would have been to display information to the user in an ordered and easily understandable manner (See Lakis, Abstract). Therefore, it would have been obvious to combine Lakis with McClendon and Aiken for the benefit of displaying information to the user in an ordered and easily understandable manner to obtain the invention as specified in claims 47, 51, and 53.

6. Claims 31-46, 55, and 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over McClendon (U.S. Patent 6,625,619 B1, claiming priority of U.S. Provisional Application Number 60/190,225) in view of Chiang (U.S. Publication 2001/0037490 A1, claiming priority of U.S. Provisional Application Number 60/190364).

As per independent claims 31 and 39, McClendon teaches a method and computer program product including receiving first information to be contained in a first file, the first information including computer source code, such as HTML code (See McClendon, Column 2, lines 35-44).

McClendon also teaches receiving second information characterizing one or more attributes of the computer source code, such as property set information (See McClendon, Column 12, lines 23-35, and Column 17, lines 64-67).

Art Unit: 2176

McClendon also teaches storing the first file information but not the second information (See McClendon, Column 17, line 67).

McClendon also teaches storing in a second file, distinct from the first file, the second information (See McClendon, Column 17, lines 65-66).

McClendon does not teach expressly using a web-authoring tool to receive the information. Chiang teaches the use of an HTML editor, which is a web-authoring tool. (See Chiang Provisional Application, Figure 1, and Page 2, lines 4-5). McClendon and Chiang are analogous art because they are from the same field of endeavor of generating electronic data. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include the web-authoring tool of Chiang with the information files of McClendon. The motivation for doing so would have been to allow the developer ease of graphical design and high performance. (See Chiang Provisional Application, Page 1, line 20). Therefore, it would have been obvious to combine Chiang with McClendon for the benefit of allowing the developer ease of graphical design and high performance to obtain the invention as specified in claims 31 and 39.

As per dependent claims 32 and 40, McClendon and Chiang teach the limitations of claims 31 and 39 as described above. McClendon also teaches that the second information is stored in the second file contains XML data which therefore uses at least one XML tag (See McClendon, Column 17, lines 65-66).

As per dependent claims 33 and 41, McClendon and Chiang teach the limitations of claims 31 and 39 as described above. McClendon also teaches that the computer source code includes HTML code (See McClendon, Column 17, line 67).

Art Unit: 2176

As per dependent claims 34 and 42, McClendon and Chiang teach the limitations of claims 31 and 39 as described above. McClendon also teaches receiving a request to open the first file and automatically displaying at least a portion of the second information responsive to the request (See McClendon, Column 3, lines 8-25).

As per dependent claims 35 and 43, McClendon and Chiang teach the limitations of claims 31 and 39 as described above. McClendon also teaches receiving a request to move the first file to a destination and automatically moving at least a portion of the second file to the destination responsive to the request (See McClendon, Column 16, lines 4-30).

As per dependent claims 36 and 44, McClendon and Chiang teach the limitations of claims 31 and 39 as described above. McClendon also teaches that the second file includes a name corresponding to a name of the first file (See McClendon, Column 17, lines 64-67).

As per dependent claims 37 and 45, McClendon and Chiang teach the limitations of claims 36 and 44 as described above. McClendon also teaches including a shadow file, or companion file, in an XML format, having a file name that associates it with the original HTML file and containing property set information about the HTML file that is not included within the HTML file (See McClendon, Column 17, lines 64-67). McClendon does not teach expressly that the shadow or companion file includes the file name of the file, however, since it was generally well known at the time of the invention to name file containing property set data, such as an XML file associated with an HTML file, identically to the file it defines, differing only in the file extension, it would have been

Art Unit: 2176

obvious to assume that the shadow or companion file includes the file name of the HTML file. The motivation for doing so would have been to maintain the association between the HTML file and the XML file that contains property set values pertaining to the HTML file.

As per dependent claims 38 and 46, McClendon and Chiang teach the limitations of claims 31 and 39 as described above. Chiang also teaches that the web-authoring tool, or HTML editor, includes at least a portion of Adobe GoLive (See Chiang Provisional Application, Figure 1, and Page 2, lines 4-5). McClendon and Chiang are analogous art because they are from the same field of endeavor of generating electronic data. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include Adobe GoLive as the web authoring tool or HTML editor taught by Chiang and McClendon. The motivation for doing so would have been to allow the developer ease of graphical design and high performance. (See Chiang Provisional Application, Page 1, line 20). Therefore, it would have been obvious to combine Chiang with McClendon for the benefit of allowing the developer ease of graphical design and high performance to obtain the invention as specified in claims 38 and 46.

As per dependent claims 55 and 57, McClendon and Chiang teach the limitations of claims 11, 31, and 39 as described above. McClendon also teaches that the information related to the file and not contained within the file includes a key and a corresponding value (See McClendon, Column 12, lines 23-35, and Column 17, lines 64-67).

Art Unit: 2176

7. Claims 56 and 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over McClendon (U.S. Patent 6,625,619 B1, claiming priority of U.S. Provisional Application Number 60/190,225) in view of Chiang (U.S. Publication 2001/0037490 A1, claiming priority of U.S. Provisional Application Number 60/190364), as applied to claims 49, 55, and 57 above, and further in view of Aiken (U.S. Patent 6,411,970 B1).

As per dependent claims 56 and 58, McClendon and Chiang teach the limitations of claims 55 and 57 as described above. McClendon and Chiang do not teach expressly that the key is one of author, status and notes. Aiken teaches a group of properties pertaining to a file and included in a shadow file, where the properties include a file author (See Aiken, Column 8, lines 54-57). McClendon, Chiang, and Aiken are analogous art because they are from the same field of endeavor of generating electronic data. At the time of the invention it would have been obvious to one of ordinary skill in the art to include the file author, as taught by Aiken, with the key value, as taught by McClendon and Chiang. The motivation for doing so would have been to allow a user to conduct searches based on the name of the author of a file (See Aiken, Column 6, lines 24-36). Therefore, it would have been obvious to combine Aiken with McClendon and Chiang for the benefit of allowing a user to conduct searches based on the name of the author of a file to obtain the invention as specified in claims 56 and 58.

Allowable Subject Matter

8. Claims 11-18 and 49-50 are allowed. The following is a statement of reasons for the indication of allowable subject matter: The prior art, namely McClendon and Chiang, taken alone or in combination fails to teach or suggest the limitations of the claimed invention, specifically a shadow file keys/values manager having an input operatively coupled for receiving in a web authoring tool the information related to the file and not contained in the file.

9. Claims 48, 52, and 54 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laurie Ries whose telephone number is (571) 272-4095. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton, can be reached at (571) 272-4137.

12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LR

/William L. Bashore/
Primary Examiner
Tech Center 2100